

SENATE BILL NO. 365

BY SENATOR DUPRE

1 AN ACT

2 To amend and reenact R.S. 30:2503(A)(1) and (2)(introductory paragraph) and (C)(2) and  
3 2504(A)(introductory paragraph) and (B) and R.S. 47:463.43(A), (D), and (E), to  
4 enact R.S. 36:609(B)(4) and 610(B)(10), and to repeal R.S. 36:4(O), relative to the  
5 Louisiana Environmental Education Act; to provide relative to the Louisiana  
6 Environmental Education Commission; to provide for the transfer of the commission  
7 to the Department of Wildlife and Fisheries; to provide for the membership, powers,  
8 and duties of the commission; to provide relative to the office of environmental  
9 education; to abolish the office of environmental education and to create the  
10 environmental education division within the Department of Wildlife and Fisheries,  
11 office of wildlife, as its successor; to provide relative to the composition, powers,  
12 and duties of the office and the division; to provide relative to the coordinator; and  
13 to provide for related matters.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 30:2503(A)(1) and (2)(introductory paragraph) and (C)(2) and  
16 2504(A)(introductory paragraph) and (B) are hereby amended and reenacted to read as  
17 follows:

18 §2503. Louisiana Environmental Education Commission; creation; membership;  
19 duties

20 A.(1) There is hereby created, within the ~~office of the governor~~ **Department**  
21 **of Wildlife and Fisheries**, the Louisiana Environmental Education Commission,  
22 hereinafter referred to as the "commission."

23 (2) The commission shall consist of the **secretary of the Department of**  
24 **Wildlife and Fisheries or his designee, the** state superintendent of education or his  
25 designee, the secretary of the Department of Environmental Quality or his designee,  
26 the secretary of the Department of Natural Resources or his designee, the secretary

of the Department of Health and Hospitals or his designee, the commissioner of the Department of Agriculture and Forestry or his designee, ~~the secretary of the Department of Wildlife and Fisheries or his designee~~, the chancellor of the Louisiana State University Agricultural Center or his designee, the chancellor of Southern University Agricultural and Mechanical College or his designee, and the following members appointed by the governor:

\* \* \*

C. The commission shall:

\* \* \*

(2) Advise and assist the secretary of the Department of Wildlife and Fisheries, the governor, the legislature, the secretary of the Department of Environmental Quality, and other state agencies, including university extension services, conservation and environmental organizations, community action groups, and nature and environmental centers on policies and practices needed to provide environmental education.

\* \* \*

§2504. ~~The office of environmental education~~ Environmental education division, office of wildlife

A. There is hereby created, within the ~~office of the governor~~ Department of Wildlife and Fisheries, office of wildlife, the office of environmental education division which shall, under the direction of its coordinator, assist the commission:

\* \* \*

B. The coordinator shall be appointed by the ~~governor~~ secretary of the Department of Wildlife and Fisheries, subject to Senate confirmation, from a list of three persons recommended by the commission.

Section 2. R.S. 36:609(B)(4) and 610(B)(10) are hereby enacted to read as follows:

§609. Offices; purposes and functions

\* \* \*

B. The office of wildlife shall:

\* \* \*

**(4) Include the environmental education division, which shall have those duties and responsibilities as provided in R.S. 30:2504 and as otherwise provided by law.**

\* \* \*

§610. Transfer of agencies to Department of Wildlife and Fisheries

\* \* \*

B. The following agencies, as defined in R.S. 36:3, are transferred to and hereinafter shall be within the Department of Wildlife and Fisheries, as provided in R.S. 36:802.

\* \* \*

**(10) Louisiana Environmental Education Commission (R.S. 30:2503)**

\* \* \*

Section 3. R.S. 47:463.43(A), (D), and (E) are hereby amended and reenacted to read as follows:

§463.43. Special license plates; ~~office of~~ environmental education **division**

A. The Department of Public Safety and Corrections shall establish a special prestige motor vehicle license plate for the ~~office of~~ environmental education **division within the Department of Wildlife and Fisheries, office of wildlife**, R.S. 30:2503 et seq. The license plates shall be restricted to use on passenger cars, pickup trucks, vans, and recreational vehicles.

\* \* \*

D. The department shall collect the donation for each license plate and forward the donation as provided in Subsection C ~~hereof~~ **of this Section** to the ~~office of environmental education in the office of the governor, R.S. 30:2503 et seq.~~ **division**. The one dollar handling fee as provided in Subsection C ~~hereof~~ **of this Section** shall be retained by the department to offset the administrative costs. The funds received by the ~~office of~~ environmental education **division** pursuant to this Section shall be deposited in the Louisiana Environmental Education Fund, R.S. 30:2511, and used solely for the purposes of that fund.

E. The secretary with the assistance of the ~~office of~~ environmental education

1        **division** shall establish such rules and regulations as are necessary to implement the  
2        provisions of this Section including but not limited to rules and regulations  
3        governing the collection and disbursement of the donation, the transfer and  
4        disposition of such license plates, the colors available, and the design criteria. The  
5        design shall include the use of the ~~office of~~ environmental education **division** logo.

6        Section 4. R.S. 36:4(O) is hereby repealed in its entirety.

7        Section 5. On the effective date of this Act, the office of environmental education  
8        shall be abolished and the environmental education division in the Department of Wildlife  
9        and Fisheries, office of wildlife, shall be created as its successor. All unfinished business,  
10       references in laws and documents, employees, property, obligations, and books and records  
11       of the office shall be transferred as provided in this Section. Upon the abolition of the office,  
12       any pending or unfinished business of the office shall be taken over and be completed by the  
13       division with the same power and authorization as that of the office and the division shall  
14       be the successor in every way to the office for the purpose of completing such business. Any  
15       reference in laws and documents to the office shall be deemed to apply to the division. Any  
16       legal proceeding to which the office is a party and which is filed, initiated, or pending before  
17       any court on the effective date of this Section, and all documents involved in or affected by  
18       said legal proceeding, shall retain their effectiveness and shall be continued in the name of  
19       the division. All further legal proceedings and documents in the continuation, disposition,  
20       and enforcement of such legal proceeding shall be in the name of the division, and the  
21       division shall be substituted for the office without necessity for amendment of any  
22       document. This Act shall not be construed so as to impair the effectiveness of any rule or  
23       policy, and any such rule or policy shall remain effective as provided therein or until  
24       changed as otherwise provided by law. This Act shall not be construed so as to impair the  
25       contractual or other obligations of the office or of the state of Louisiana. The division shall  
26       be the successor in every way to the office, including all of its obligations and debts. All  
27       dedications and allocations of revenues and sources of revenues heretofore made shall  
28       continue in the same manner, to the same extent, and for the same purposes as were provided  
29       prior to the enactment of this Act, unless and until other provision is made therefor. This  
30       Act shall not be construed or applied in any way which will prevent full compliance by the

1 state, or any department, office, or agency thereof, with the requirements of any Act of the  
 2 Congress of the United States or any regulation made thereunder by which federal aid or  
 3 other federal assistance has been or hereafter is made available. All books, papers, records,  
 4 money, actions, and other property of every kind, movable and immovable, real and  
 5 personal, heretofore possessed, controlled, or used by the office are hereby transferred to the  
 6 division. All employees heretofore engaged in the performance of duties of the office,  
 7 insofar as practicable and necessary are hereby transferred to the division and shall continue  
 8 to perform the duties heretofore performed, subject to applicable state civil service laws,  
 9 rules, and regulations and other applicable laws. Subject to such laws, positions in the  
 10 unclassified service shall remain in the unclassified service.

11 Section 6.A. The Louisiana State Law Institute is hereby authorized and requested  
 12 to change references in the following statutes from the "office of environmental education"  
 13 to the "environmental education division": R.S. 30:2506, 2507, and 2511(A) and (B). The  
 14 Louisiana State Law Institute is hereby authorized and requested to change the reference  
 15 from "office" to "environmental education division" in R.S. 30:2511(D).

16 B. The Louisiana State Law Institute is hereby authorized and requested to  
 17 change the references in the following statutes from the "office of environmental  
 18 education" to the "environmental education division within the Department of  
 19 Wildlife and Fisheries, office of wildlife": R.S. 17:185.3 and R.S. 32:412.

20 Section 7. This Act shall become effective on July 1, 2008; if vetoed by the governor  
 21 and subsequently approved by the legislature, this Act shall become effective on July 1,  
 22 2008, or on the day following such approval by the legislature, whichever is later.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_